

DEC 14 2021

D. MARK JONES, CLERK

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United States District Court
District of UTAH Central Division

Anthony Charles Murphy
Plaintiff

Notice and Request

CASE: 2:19-cv-00852 JNP

V.

Sgt. D Roberts et al
Defendants.

Judge Jill N. Parrish

Michael W. Homer (#1535)

Jesse C. Trentadue (#4961)

Sutter Axland, PLLC

8 East Broadway, Suite 200

Salt Lake City, UT 84111

Anthony Charles Murphy

224574

Utah State Prison

P.O. Box 250

Draper UT 84020

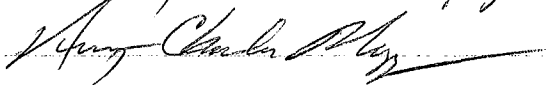
Atty's for Defendants

Pro Se

Comes the plaintiff Anthony C. Murphy advising the Court that the plaintiff will not be filing a response to the defendants Response to Plaintiffs motion for Default Judgement. The plaintiff would stress to the court and to the defendants that he does not and will not file frivolous motions. It was the plaintiff's belief that the defendants had till Nov. 12, 2021 to file and serve the plaintiff. This deadline allowed the defendants an extra 3 days for service by mail. The plaintiffs beliefs may have been wrong he cant say because he does not posses the actual rule that governs when a defendant must ensure that service on the plaintiff has been done. My apology to the Court and counsel if I was wrong.

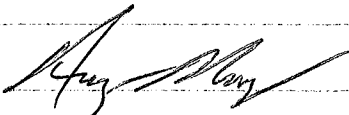
This mistake has created a unique opportunity for the plaintiff to ask the court to ensure any papers sent to the plaintiff was in fact recieved by him. The prison policy on mail delivery is to send it back to the sender if the prisoner is not here. My upcoming treatments for my cancer will require hospitalizations. This will begin within the next 30 days. The stays my be many and or long periods. The plaintiff asks this court in the event the plaintiff fails to respond to any paper filed or court order. Please ensure that I recieved the papers and that I'm physicly able

to do so. Most if not all the papers that this court has sent me have been stamped legal mail. This requires mail staff to personally deliver it to the inmate which he signs for creating a record of receipt and when. Maybe the defendants could stamp their mailings with (legal mail) it also helps to get the mail days sooner.

Respectfully
Anthony Charles Murphy

12-9-2021

I certify that a true copy of this Notice and Request was sent ~~to~~ first class mail postage prepaid to the following on 12-09-2021.

Jesse C Treatadue
Sutter Axland PLLC
8 east Broadway, Suite 200
Salt Lake City UT
84111


12-9-2021